

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

DANNY LEE STRADFORD,

Petitioner,

vs.

MARIES COUNTY SHERIFF'S
DEPARTMENT,

Respondent.

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No. 4:22-CV-879-MTS

MEMORANDUM AND ORDER

Before the Court is a letter and a document titled “Heabus-Corpus” from Danny Lee Stradford, alleging that he is being illegally detained by the Maries County Sheriff’s Department. Doc. [1]. These documents are defective as a complaint commencing a civil case because they were not drafted on a Court-provided form. *See* E.D. Mo. Local Rule 2.06(A). Moreover, Stradford has neither paid the filing fee nor submitted an application to proceed without prepaying fees or costs. *See* 28 U.S.C. § 1915(a)(1). Local Rule 2.01(B) authorizes the Clerk of Court to refuse to receive any pleadings “until the applicable statutory fee is paid, except in cases accompanied by a completed application to proceed in forma pauperis.”

Accordingly,

IT IS HEREBY ORDERED that the Clerk of Court is directed to mail to Petitioner a copy of the Court’s form “Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241.”

IT IS FURTHER ORDERED that Petitioner shall file an amended petition on the Court-provided form within **thirty (30) days** of the date of this Order. Petitioner is advised that his amended petition will take the place of his original petition and will be the only pleading that this Court will review.

IT IS FURTHER ORDERED that the Clerk of Court shall mail to Petitioner a copy of the Court's 'Motion to Proceed *in forma pauperis* and Affidavit in Support – Habeas Cases' form.

IT IS FURTHER ORDERED that Petitioner must either pay the \$5 filing fee or submit a motion to proceed *in forma pauperis*, within **thirty (30) days** of the date of this Order.

IT IS FINALLY ORDERED that if Petitioner fails to comply with this Order, the Court will dismiss this action without prejudice and without further notice.

Dated this 25th day of August, 2022.

A handwritten signature in black ink, appearing to read 'MATTS', is written over a horizontal line.

MATTHEW T. SCHELP
UNITED STATES DISTRICT JUDGE